



Federal Communications Commission  
Washington, D.C. 20554

February 2, 2016

*Also sent by E-mail transmittal*

Joey Battaino  
Director of Broadcasting and Communications  
Saginaw Hockey Club, LLC  
5789 State Street, Suite 2  
Saginaw, MI 48603

Re: Case Identifier: CGB-CC-1368  
CG Docket No. 06-181  
Petition for Closed Captioning Exemption  
Request for Supplemental Information

Dear Mr. Battaino:

This letter concerns your Petition for exemption from the Federal Communications Commission's (FCC's) closed captioning requirements. After reviewing your Petition, the Consumer and Governmental Affairs Bureau (Bureau) has determined that additional information, as set forth below, is required to enable us to determine whether the programming that is the subject of your Petition should be exempted from the FCC's closed captioning requirements because captioning such programming would be economically burdensome to your organization.

Specifically, your Petition included information about the name of the specific program for which an exemption is requested, documented quotes for the provision of captioning services, impact of captioning on your operation and program, verification that you sought additional sponsorship sources, and description of your overall operations. We conclude, however, that because your Petition is missing required information, we cannot take further action on it.

If you wish for your Petition to receive further consideration for a closed captioning exemption, you must supplement your Petition by providing us with the information described below **by March 3, 2016**, which is 30 days from the date of this letter:

- Your financial resources.

Provide **audited financial statements or an accountant's review or compilation of financial statements** for the two most recent completed calendar or fiscal years. If such statements have not been prepared by or for you or your organization, provide **complete federal income tax returns or tax-exempt information returns, including all schedules and attachments**, for your organization for the two most recent completed calendar or fiscal years, if such returns were filed. If your organization is a sole proprietorship, provide complete personal federal tax returns, including all schedules and attachments, for the two most recent completed calendar or fiscal years for the sole proprietor. If your organization is a Subchapter S corporation, limited liability company (LLC), professional corporation (PC), or partnership, in addition to the organization's tax returns, provide the complete personal federal tax returns, including all schedules and attachments, for the two most recent completed calendar or fiscal years for the shareholders or partners. **Redact (black out) sensitive information, such as account numbers and social**

**security numbers, before submitting personal tax returns or other documentation.** If none of these documents have been prepared by or for you or your organization, you must provide a written statement to that effect.

*Your submission of tax returns for years 2013 and 2014 are missing the necessary attachments and statements, which must be submitted in order to be considered complete. Additionally, if you have audited financial statements or an accountant's review or compilation of financial statements, please submit these as well, since your financial statements are for the fiscal year, rather than the calendar year, so they cannot be reconciled with your tax returns.*

- **Affidavit or declaration.** Your supplemental information must contain a detailed, full showing, supported by a signed and sworn affidavit or signed declaration made under penalty of perjury attesting to the truthfulness and accuracy of the information and representations contained in your submission. An affidavit is a written statement made under oath, before an official who is authorized to administer oaths, such as a notary public or county clerk. A declaration is a written statement made under penalty of perjury, such as "I declare under penalty of perjury that the information contained in this submission is true and correct." (See 47 C.F.R. § 1.16.) The affidavit or declaration must be dated.

If the Bureau determines that your Petition, as supplemented by your response to this letter, provides sufficient information upon which to make a determination of whether or not to grant a closed captioning exemption, we will place your Petition on public notice under Docket No. 06-181 at <http://fjallfoss.fcc.gov/ecfs>. Members of the public will then have 30 days to file comments on and/or oppositions to your Petition, including the supplemental information you have provided in response to this letter, after which you will have 20 days to respond. At the end of this timeframe, the Bureau will review your Petition, along with any comments and responses received, to determine whether you have demonstrated that providing closed captions would be economically burdensome. If Bureau denies your Petition, you will have 90 days from the date of your notification of the denial to begin captioning.

**If you do not supplement your Petition with all of the updated information and documentation requested in this letter within 30 days of the date of this letter, we will conclude that you have failed to support your exemption request with adequate explanation and evidence, and will dismiss your Petition. In the event of such dismissal, your organization will be required to begin providing closed captioning for your program(s) within 90 days of the date of our notification to you that your Petition has been dismissed.**

If you have questions pertaining to this letter or the information and materials requested herein, please contact the FCC's Disability Rights Office at [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov).



Suzy Rosen Singleton  
Attorney, Disability Rights Office  
Consumer and Governmental Affairs Bureau

## **Instructions for Filing a Supplement to a Closed Captioning Exemption Petition**

Your supplemental information must be submitted to the FCC by e-mail to [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov). Petitions and supplemental materials may not be filed directly on the FCC's Electronic Comment Filing System (ECFS) or by U.S. mail. At this time, the FCC's e-mail system does not accept attachments in the form of .ZIP files or file sizes larger than 13.3 megabytes. If a petitioner has concerns that its file size will exceed this limitation, please contact [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov). Because the FCC will upload petitions and any supporting information and documentation to ECFS, petitioners must follow the ECFS document format guidelines (<http://apps.fcc.gov/ecfs/userManual/upload/documents.jsp>) when sending petitions, supporting information, and documentation via e-mail. For more information about this electronic filing procedure, visit <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements>.

**You must include your case identifier number, which is located at the top of this letter, and CG Docket Number 06-181 in all correspondence with the FCC regarding your petition.**